UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
- -X

UNITED STATES OF AMERICA

- against -

EVGENY BURYAKOV,
a/k/a "ZHENYA,"

Defendant.

- -X

FACTUAL ALLEGATIONS IN SUPPORT OF JUDICIAL REMOVAL

S1 15-CR-73 (RMB)

NOTICE IS HEREBY GIVEN TO EVGENY BURYAKOV, a/k/a "ZHENYA" (the "defendant") and to his attorneys of record, Scott Hershman, Esq., Daniel Levin, Esq., Owen C. Pell, Esq., and Gregory G. Little, Esq., that the United States of America alleges the following facts in support of its application for an Order of Judicial Removal:

1. The defendant is not a citizen or national of the United States.

2. The defendant is a native of the former USSR and a citizen of the Russian Federation.

3. The defendant entered the United States on or about July 20, 2014, at J.F.K. International Airport, New York, New York, with an L-1A (Intra-Company Transferee) non-immigrant visa with authorization to remain in the United States until August 1, 2015.

4. The defendant remained in the United States thereafter without authority of the United States Department of Homeland Security.

5. On February 5, 2015, the United States Department of State revoked the L-1A non-immigrant visa.

6. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Southern District of New York, of Conspiracy to Act in the United States as an Agent of a Foreign Government, specifically the Russian Federation, without prior Notification to the Attorney General as Required by Law, in violation of Title 18, United States Code, Section 371, for which the object of the conspiracy was to violate Title 18, United States Code, Section 951.

7. The maximum term of imprisonment for a violation of Title 18, United States Code, Section 371 is five years of imprisonment.

8. The defendant is, and at sentencing will be, subject to removal from the United States pursuant to Section 237(a)(1)(B) of the Immigration and Nationality Act of 1952 as amended (the "INA"), 8 U.S.C. § 1227(a)(1)(B), as an alien who is present in the United States in violation of this chapter or any other law of the United States, or whose nonimmigrant visa (or other documentation authorizing admission into the United States as a nonimmigrant) has been revoked under Section 1201(1) of this title.

WHEREFORE, pursuant to Section 238(c) of the INA, 8 U.S.C. § 1228(c), the United States of America requests that the Court, at the time of sentencing, order that the defendant be removed from the United States to the Russian Federation.

Dated: New York, New York
May 18, 2016

PREET BHARARA
United States Attorney
Southern District of New York

By: /s/
Emil J. Bove III
Brendan F. Quigley
Stephen J. Ritchin
Assistant United States Attorneys